

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Daniel FOGAZZI

Manpreet BHAGTANA

Case: 2:22-mj-30378

Case No.

Assigned To : Unassigned

Assign. Date : 9/6/2022

Description: CMP USA v. FOGAZZI
ET AL (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 5, 2022 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*21 U.S.C. §§§ 846, 841(a)(1) and
841(b)(1)(A)(ii)Conspiracy to possess with the intent to distribute at least 5 kilograms
of a substance containing a detectable amount of cocaine

This criminal complaint is based on these facts:

See attached Affidavit

☐ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: September 6, 2022City and state: Detroit, MI

Complainant's signature

Special Agent Gregory A. Abair, HSI

Printed name and title



Judge's signature

Hon. Jonathan J.C. Grey, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Special Agent Gregory A. Abair, being duly sworn, hereby state as follows:

INTRODUCTION

1. I am a Special Agent (“SA”) with Immigration and Customs Enforcement/Homeland Security Investigations (“ICE/HSI”). I have been a SA with ICE/HSI for approximately twenty years. Prior to being a SA with ICE/HSI, I was a United States Customs Inspector for approximately eleven years. Based on my training and decades of experience, which includes participation in numerous cross-border drug trafficking investigations, I am familiar with the methods used by drug trafficking organizations to, among other things, transport, distribute, and smuggle narcotics.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause for the requested criminal complaint and does not set forth all my knowledge about this matter.

PROBABLE CAUSE

3. There is probable cause to believe that Daniel FOGAZZI and Manpreet BHAGTANA conspired to possess with intent to distribute more than 5 kilograms of cocaine, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)(ii).

4. On September 5, 2022, HSI agents and task force members (collectively, “agents”) conducted surveillance at 32nd Street Storage, 3541 32nd Street in Port Huron, Michigan, which is in the Eastern District of Michigan. Agents saw a blue semi-truck bearing California license plate YP33467 hauling a white trailer park adjacent to Building #5 of the storage facility blocking the loading dock spaces. Building #5 is a large warehouse facility with multiple garage doors and four loading dock doors. Agents saw a silver Mercedes Benz bearing Ontario license plate CSKZ544 park next to the truck, with the passenger sides of both vehicles facing each other.

5. Agents saw the driver of the Mercedes, later identified as Daniel FOGAZZI, a Canadian citizen, walk to the passenger side door of the semi-truck, where he was given four cardboard boxes. Agents saw FOGAZZI set the boxes on the ground between the two vehicles, open the boxes and begin sorting through the contents. Agents observed FOGAZZI stack what appeared to be at least two vacuum sealed square packages consistent with the size of kilogram packages of bulk narcotics on the ground. While FOGAZZI was handling the packages, agents

observed the lone occupant of the semi-truck, later identified as Manpreet BHAGTANA, an Indian Citizen and resident of the United States, exit the truck and begin assisting FOGAZZI in both sorting or counting the packages in the four boxes, then load them into the trunk of FOGAZZI's Mercedes.

6. Agents then observed the semi-truck and trailer exit the facility and proceed to Love's Travel Stop in Saint Clair, Michigan. Agents continuously surveilled the semi-truck from the facility to the truck stop in Saint Clair.

7. Meanwhile, back at the facility, agents saw FOGAZZI close the warehouse doors then drive the Mercedes towards the gated exit of the facility where a marked unit of the Saint Clair County Sheriff's Office conducted a traffic stop of the vehicle. A free air sniff of the vehicle by a certified narcotics detection U.S. Border Patrol canine resulted in an alert at the trunk of the vehicle for narcotics. Among the odors the U.S. Border Patrol canine is certified in detecting is cocaine.

8. Agents told FOGAZZI that the canine gave a positive indication for the presence of narcotic odor. Agents searched the vehicle and found four boxes in the trunk of the vehicle. The boxes were partially opened and agents saw what appeared to be kilogram packages of cocaine. FOGAZZI was placed under arrest for possession with intent to distribute cocaine. Agents recovered approximately 78

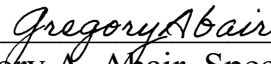
kilogram-sized packages in the cardboard boxes. A field test was conducted with results positive for cocaine.

9. At Love's Travel Stop in Saint Clair, Michigan, agents approached BHAGTANA while his vehicle was parked in the truck area. BHAGTANA claimed he was enroute to Ohio after leaving from Illinois and that he had made no other stops in Michigan besides at Love's Travel Stop. Knowing that BHAGTANA had just come from the facility and had helped FOGAZZI load the boxes that contained cocaine into the FOGAZZI's car, agents placed BHAGTANA under arrest.

10. Agents also reviewed surveillance video from the facility that showed BHAGTANA standing over the open boxes with FOGAZZI, which BHAGATANA had handed to FOGAZZI from the cab of the truck. The video also showed BHAGTANA helping to sort or count the kilogram-sized packages as some were placed on the ground at his feet.

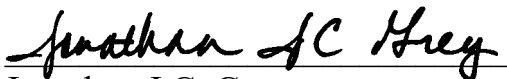
CONCLUSION

11. Based upon the foregoing, probable cause exists that Daniel FOGAZZI and Manpreet BHAGTANA conspired to possess with the intent to distribute at least 5 kilograms of a substance containing a detectable amount of cocaine, in violation of 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(A)(ii).



Gregory A. Abair, Special Agent
Immigration & Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me
in person or by other reliable means.



Jonathan J.C. Grey
United States Magistrate Judge

Dated: September 6, 2022